

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
SEP 14 2005  
JOHN F. CORCORAN, CLERK  
BY: J. Jarabie  
DEPUTY CLERK

BRENDA J. CARPENTER,

*Plaintiff,*

v.

JO ANNE B. BARNHART, COMMISSIONER OF  
SOCIAL SECURITY,

*Defendant.*

CIVIL ACTION No. 3:04CV00094

ORDER

JUDGE NORMAN K. MOON

By standing order of the Court, this case was referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and a recommended disposition. The Magistrate filed his report on August 9, 2005, recommending that this Court enter an Order reversing the Commissioner's final decision, denying the Commissioner's motion for summary judgment, granting the Plaintiff's motion for summary judgment, entering judgment in favor of Plaintiff, and recommitting the case to the Commissioner for the sole purpose of calculating and paying proper benefits.

After a careful review of the entire record in this case, and no objection having been filed to the Magistrate Judge's Report within ten (10) days of its service upon the parties, this Court adopts the Magistrate Judge's report in its entirety.

Accordingly, it is this day ORDERED that the Report and Recommendation of the United States Magistrate Judge filed August 9, 2005, shall be, and hereby is, ADOPTED, in its entirety.

This case is dismissed and stricken from the docket of the Court.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all  
counsel of record.

ENTER: Nenna E. Moran

U.S. District Court Judge

DATE: Sept. 14, 2005